

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

MONICA DANIEL HUTCHISON,)
)
 Plaintiff,)

)
vs.)Case No. 09-3018-CV-S-RED
)
TEXAS COUNTY, MISSOURI; MICHAEL)
R. ANDERSON, TEXAS COUNTY)
PROSECUTING ATTORNEY; and)
MICHAEL R. ANDERSON,)
Individually,)
)June 16, 2010
 Defendants.)Rolla, Missouri

DEPOSITION OF JEFFREY ROY KINDER

a Witness, produced, sworn and examined on the 16th day of
June, 2010, between the hours of 8 a.m. and 5 p.m. of that
day, at Steelman, Gaunt & Horsefield, 901 Pine Street, City
of Rolla, County of Phelps, before

JOANN RENEE RICHARDSON, CCR
Certified Court Reporter
20051 State Route B
St. James, Missouri 65559

in the above-entitled cause, pursuant to Notice to Take
Deposition, on the part of the Defendant Mr. Anderson.

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1 Q. After that evening, did you ever have any
2 other conversations with Mr. Anderson about Ms.
3 Daniel?

4 A. Yes, I did.

5 Q. When was the next time?

6 A. I believe it was Wednesday the following
7 week.

8 Q. That was like the 21st or 22nd of December,
9 something like that?

10 A. Gosh, I would have no idea. I know it was
11 about three days after this all occurred.

12 Q. Okay.

13 A. It was on like a Wednesday night.

14 Q. What happened? What conversation did you
15 have with him then?

16 A. I was at the river on a giggin' trip and we
17 were cooking the fish there on the river bank and he
18 had stopped at my residence to see me, and my wife
19 had told him I was at the river. I live about two
20 miles from the Big Piney River and he came there.

21 Q. What did he say when he came down there?

22 A. We sat around there and talked, made small
23 talk, and there were several other people there and
24 he ate fish with us. When we got ready to leave, he
25 wanted to talk to me privately.

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1 Q. What did he say?

2 A. He came back to my house and we got in his
3 vehicle and drove back down toward the river and he
4 said that someone had drugged him at the bar the
5 night before.

6 Q. Did he tell you why he thought that that
7 occurred?

8 A. Because of his behavior following that. He
9 said he went to her house, looking for help, and he
10 said he knocked on the door, trying to get her to
11 help him.

12 Q. Did he ask you to do anything or ask for
13 your assistance in any way?

14 A. Yes, sir.

15 Q. What did he ask you to do?

16 A. He asked me to go with him to retrieve a
17 tape from the bar in Licking, a surveillance
18 videotape.

19 Q. Did you do that?

20 A. No, sir, I told him I couldn't do that.

21 Q. Why did you tell him? Did you explain to
22 him why you couldn't?

23 A. Sure. At the time we were both in our blue
24 jeans and I wasn't in uniform. I wasn't on duty.
25 There was no formal investigation that I could be a

1 part of, so I told him that I couldn't do it.

2 Q. Did he accept that?

3 A. Yes, he did. I did suggest that he contact
4 an officer there with the drug task force that could
5 possibly get the tape for him.

6 Q. Did you give him a specific name?

7 A. I did. Frank Nagel, who he had said in
8 previous conversations unrelated to this matter that
9 he was familiar with Mr. Nagel and had worked with
10 him in the past on different cases.

11 Q. Prior to this conversation, had Mr.

12 Anderson ever asked you to do something like that for
13 him before?

14 A. No, sir, not that I'm aware of.

15 Q. Did you have any additional discussions
16 with Mr. Anderson about the drugging incident or the
17 alleged drugging incident?

18 A. I don't think I had any further
19 conversations with him about it.

20 Q. Did you have any additional conversations
21 with him about Monica Daniel?

22 A. We did discuss -- I mean, it was sometime
23 later. I think it was before the first lawsuit was
24 filed. He told me that he said some stuff that night
25 that he didn't mean to me, meaning the night --

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1 Q. The night that you guys were driving around
2 together?

3 A. Yes. He also reminded me that he told me
4 that in confidence. And, by the way, Mr. Van
5 Ronzelen is the only person that I've discussed that
6 with.

7 Q. You're pretty good at anticipating my next
8 questions. No other conversations you recall with
9 him about Monica Daniel?

10 A. Not that I can recall. I'm not saying
11 there wasn't, but none that I can think of.

12 Q. I understand it's been a long time ago. Do
13 you recall, did you ever speak with Lt. Melissa Dunn
14 about the events that transpired when Mr. Anderson
15 was in your patrol car?

16 A. Yes, sir, I did.

17 Q. With regard to -- you said you live in
18 Licking. Did you live in Licking back at this time?

19 A. That's correct.

20 Q. Give me an idea how far your house was from
21 Ms. Daniel's house; do you know?

22 A. Probably -- I'd say probably eight miles,
23 between eight and ten miles.

24 Q. Generally, how far is Licking from Houston?

25 A. It's around 14 miles, I believe, 13 or 14.